

**Department of Personnel Administration
Memorandum**

TO: Personnel Management Liaisons (PML)

SUBJECT: Military Leave - Implementation of AB 1523 (Military Leave of Absence) and AB 276 (War on Terrorism)	REFERENCE NUMBER: 2005-061
DATE ISSUED: 12-29-05	SUPERSEDES:

This memorandum should be forwarded to:

**Personnel Officers
Personnel Transactions Supervisors**

FROM: Department of Personnel Administration
Classification and Compensation Division

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ASSEMBLY BILL 1523

Effective January 1, 2006, AB 1523 was approved to amend Government Code (GC) 19771 extending a military leave of absence to five years. State employees who provide a copy of active duty orders for service in the Armed Forces, the National Guard, or the Naval Militia shall be granted a military leave of absence for the period of active military duty specified in the orders. The military leave shall not exceed five years.

Although State employees are eligible to receive a military leave of absence for up to five years, in order to receive 30 calendar days of pay for active military duty, employee's must meet the criteria of GC 19775 or 19775.1.

ASSEMBLY BILL 276

Effective January 1, 2006, AB 276 was approved amending GC 19775.18 excluding all military allowances as part of the employee's military pay for the purpose of providing supplemental pay to State employees who are called to active military duty in support of the "War on Terrorism." Refer to [PML 2003-006](#) for specifics on GC 19775.18. (The work sheet attached to PML 2003-006 has been updated with the work sheet attached to this PML.)

The statute amendment affects all employees who are eligible to receive supplemental pay on or after January 1, 2006, in support of the "War on Terrorism." There will be no retroactivity. The revised [Military Leave Work Sheet](#) incorporates the amendment. The State Controllers' Office (SCO) requests departments submit a new work sheet by January 18, 2006, on every employee currently on military leave receiving supplemental military pay on or after January 1, 2006. A new work sheet is also required for employees who elect to continue their benefits such as health, dental, or vision. If departments are unable to contact their employee, they must use the most current military pay information available. Do not include allowances

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provided by the military. A Military Leave Work Sheet should be completed each time an employee receives active military orders for more than 30 calendar days.

Payroll processing questions regarding military leave should be addressed to Pam Keegan with SCO at (916) 323-2539. For policy interpretation questions related to military leave, your designated headquarters' personnel office staff should contact DPA's Personnel Services Branch.

/s/Daryll Tsujihara

Daryll Tsujihara
Chief